

1 SENATE BILL NO. 405

2 INTRODUCED BY BALES, STEINBEISSER, TASH, BLACK, BRUEGGEMAN, BARKUS, CURTISS,
3 JACKSON, LEWIS, GEBHARDT, LAIBLE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING FISCAL AND PERFORMANCE ACCOUNTABILITY
6 STANDARDS FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; REQUIRING THE PUBLICATION
7 OF CERTAIN FISCAL INFORMATION AND A LISTING OF THE DEPARTMENT'S LAND HOLDINGS AND
8 LEASES; REQUIRING THE DEPARTMENT TO INCLUDE A DISCUSSION AND ESTIMATE OF FUTURE
9 COSTS ASSOCIATED WITH LAND ACQUISITIONS; SETTING A CAP ON THE BALANCE IN THE GENERAL
10 LICENSE ACCOUNT AND ESTABLISHING A METHOD TO CALCULATE THE AVAILABLE BALANCE IN THE
11 ACCOUNT; REQUIRING THE DEPARTMENT TO REPORT ANY UNEXPENDED CAPITAL AUTHORITY TO
12 THE LEGISLATURE AND PROVIDING FOR CLARIFICATION OF UNENCUMBERED SPENDING AUTHORITY;
13 AND PROVIDING AN EFFECTIVE DATE."

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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17 **NEW SECTION. Section 1. Publication of fiscal information regarding department accounts and**
18 **programs.** (1) In addition to the information in 87-1-202, the department shall annually publish information
19 detailing:

20 (a) expenditures from the general license account, including references relating each expenditure to the
21 department's overall agency goals and objectives;

22 (b) expenditures for any statutorily established program administered by the department, including
23 references relating each expenditure to the various program goals and objectives; and

24 (c) information related to the department's land acquisitions, purchases, sales, and ownership, including
25 a detailed listing of the department's land holdings, such as state parks, fishing access sites, wildlife management
26 areas, and leases of any kind.

27 (2) The information in subsection (1) must be made available to the public by posting the information on
28 the department's internet website. The information in subsection (1)(c) must also be included in an executive
29 summary in the department's annual land report.

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1 **NEW SECTION. Section 2. Fiscal assessment of future costs associated with land acquisitions.**

2 Whenever the department proposes the acquisition of land to the commission and the board of land
3 commissioners pursuant to 87-1-209, the proposal must include:

4 (1) a discussion and estimate of future costs associated with the acquisition, including anticipated costs
5 of site development, maintenance, and operations;

6 (2) the proposed source of funding for future costs; and

7 (3) an anticipated timeline associated with the future costs of development, maintenance, and operations.
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9 **NEW SECTION. Section 3. General license account -- fiscal and performance accountability.** (1)

10 ~~The~~ BY THE END OF FISCAL YEAR 2011, THE fund balance in the department's general license account may not
11 exceed one-half of the ~~state special revenue fund~~ appropriation level IN THE GENERAL LICENSE ACCOUNT for the
12 base year of each biennium. IF THE BALANCE EXCEEDS THIS LIMIT, ANY EXCESS FUNDS MUST BE TRANSFERRED TO THE
13 STATE SPECIAL REVENUE ACCOUNT AND MAY BE USED ONLY IN THE FOLLOWING MANNER:

14 (A) 50% FOR THE BLOCK MANAGEMENT PROGRAM;

15 (B) 25% FOR MAINTENANCE OF DEPARTMENT FISH HATCHERIES; AND

16 (C) 25% FOR MAINTENANCE OF STATE FISHING ACCESS SITES.

17 (2) The department shall calculate ~~a projected~~ THE ending fund balance for the general license account
18 for each ~~biennium~~ FISCAL YEAR by using the ~~present biennium~~ ending fund balance on the statewide accounting
19 system; AND adjusting that balance for the department's ~~current year projected revenue and appropriation~~
20 ~~authority, and then adjusting that amount for projected revenue and appropriation requests used in establishing~~
21 ~~the executive budget. Appropriation authority must include any approved or requested capital authority.~~

22 (3) The department shall calculate a 60-day working capital requirement for the general license account
23 by dividing the projected account ending fund balance by six. The legislature may consider the balance in the
24 general license account in relation to the 60-day working capital requirement prior to approving any legislation
25 intended to raise hunting and fishing license fees.
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27 **NEW SECTION. Section 4. Fiscal accountability for unexpended capital authority.** The department

28 shall report to the legislative long-range planning joint subcommittee concerning any outstanding unexpended
29 capital authority that has been granted to the department and whether that authority is encumbered or
30 uncommitted. If unexpended capital authority is not encumbered, the subcommittee may clarify the purposes for

1 which the capital may be expended.

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3 NEW SECTION. Section 5. Codification instruction. [Sections 1 through 4] are intended to be codified
4 as an integral part of Title 87, chapter 1, part 6, and the provisions of Title 87, chapter 1, part 6, apply to [sections
5 1 through 4].

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7 NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 2007.

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